

STATE EMERGENCY RESPONSE COMMISSION

State Emergency Response Commission Meeting Minutes June 11, 2003

Glenn Gillespie - DEMA
Dr. Gerald Llewellyn - Div. of Public Health
Gene Donaldson - DelDOT
Mark Collender - Delaware State Police
Joe Murabito - DE State Fire School
James Cubbage, Jr. - DE Volunteer FA
Michael G. Chionchio - State Fire Marshall
Ralph Baker - Shippers Rep./Baker Safety
Pamela Meitner - User of Hazardous Material
John Pierce - Water Transportation Rep.
George Giles - Wilmington LEPC
Dave Irwin - New Castle Cty LEPC
J. Allen Metheny, Sr. - Kent Cty LEPC
Lynn Bullock - Sussex Cty LEPC
Mike LePore - Highway Rep/DMTA
James Lee - Consignee of HazMat
Bruce C. Ennis - DE Volunteer Fireman's
Bill Betts - DE Fire Prevention Comm.

Robert Pritchett - DNREC/EPCRA
Bill McCracken - NCC LEPC
S.R. (Red) Flegal - Wilmington EP
Arthur Paul - DEMA
David Hake - DEMA
Nicole Brault-Reilly - DEMA
Jim Kenney - NCC LEPC
Glenn Luedtke - Sussex EMS
Bob Barrish - DNREC ARP
Richard Kendall - NCC EP
Jasper Lakey - DVFA
Catherine Pomerantz - FEMA
Ed Gerhard - US EPA
Charles Chaney - US EPA, Region III
Larry Bak - HMHTTC
Ken MacMahon - Fire Commission

Glenn Gillespie, called the meeting to order at 9:03 a.m. Attendees introduced themselves and a quorum was verified. The April meeting minutes were approved as written, motioned by Mr. Lynn Bullock and seconded by Representative Bruce Ennis.

Committee Reports

Finance and Budget Committee Report – Mr. Joseph Murabito

Following is a summary of SERC Finances as of 6/5/2003:

Carryover from 2002 calendar year	+ \$ 237,984
Fees collected thus far during 2003	+ \$ 268,940 (a)
Projected reimbursements thus far (as of 6/5/2003)	- \$ 2,140 (b)
Interest received thus far during 2003 (first 4 months)	+ \$ 2,234 (c)
Establishment of account for Decon trailer maintenance	- \$ 5,000

Account Balance as of 6/5/2003	\$ 502,018

NOTES:

- (a) Additional fees will be received as we continue follow-up activities on the 2002 Hazardous Chemical Inventory (Tier II) reports due 3/1/03. (Net fees collected in 2002 totaled \$292,253.)
- (b) Additional reimbursements necessary to facilities will be identified as we process the 2002 Tier II reports. (Final reimbursements for reporting errors in 2002 totaled \$3,805.)
- (c) Interest will continue to accumulate. (Total interest accumulated in 2002 was \$9,417.)

HMEP Budget Status - Mr. David Hake

Mr. Hake referred attendees to the HMEP Budget Status letter in the SERC agenda package and reviewed the following proposal for Planning Funds:

The New Castle County Local Emergency Planning Committee requests funds for the Decon Team Chief to attend the International Association Fire Chiefs HazMat Conference in Towson, MD, May 28-June 1, 2003. Estimated Cost: \$750.00.

Mr. Hake advised the group that proposals were presented for information only and did not require approval by the Commission. The FY 2004 Grant Application Package has been received and is set at the same funding level as FY 2003 - \$91,223.00.

HMEP Key Dates: Obligation - September 30, 2003 and Liquidation - December 31, 2003.

Information and Technology (IT) Committee Report - Mr. Lynn Bullock

The Committee met on May 6 and June 3, 2003.

The CAMEO Sub-Committee met on May 21, 2003 and is developing a cheat sheet for CAMEO training. Mr. Paul briefed that at the June 3, 2003 Committee meeting, a Sub-Committee was formed and following the meeting they held a teleconference with DTI to discuss the requirements for the 800 number to notify LEPC Community Emergency Coordinators of facility chemical releases. Mr. Paul will work with the telephone vendors to have the telephone mailboxes established on a DEMA line and the 800 number will be pointed to the DEMA number. Following the activation of the number, the Committee will conduct outreach to all reporting Facilities in the form of mailing the new number and notification requirements.

Next meeting is scheduled for September 3, 2003, at 9:00 am at DSFS.

Planning and Training Committee Report - Mr. Arthur Paul

The Committee did not meet since the last SERC meeting.

The State Emergency Response Team (SERT) Plan revision was approved at the last SERC meeting and the draft was re-distributed to Committee members for a final review. The Committee chair is addressing some questions from the Department of Public Health.

DENS Update – *FirstCall* Interactive Network, was selected and we are waiting for the required performance bond and the contract. Beginning in July there will be an extensive public outreach program to explain how to use the system. The system should be operational in August 2003.

Next meeting is scheduled for July 23, 2003, 9:00 a.m. at the State Emergency Operations Center.

Decontamination Trailer Committee - Mr. J. Allen Metheny, Sr.

The Decon Trailer Committee met on June 4, 2003 at the Kent County Public Safety Building. Highlights of the meetings follow:

All three Decon teams continue to purchase equipment with the funds approved by SERC to complete the Standard Equipment List purchases. Items ordered continue to be on “back order” from the vendors. About 70 percent of the funds have been used to date.

We are continuing on the work of drafting a Statewide Decon Trailer “Standard Operating Guidelines” (SOG). We are making progress on this project; however, it is going very slow because all of us continue to be involved in many other planning projects conducted by the State and our counties.

We are awaiting decisions on our equipment/tow vehicles for the trailers. I met with the State Budget Office last month on this issue to explain our situation to them. I have had no official response from DNREC on our request for \$375,000 from their fine account for the purchase of three vehicles. In the meantime, the hitch assembly on one of the trailers has been damaged recently due primarily to overloading. Parts of the hitch had to be replaced.

UPDATE: In a discussion with Deputy Secretary Dave Small on June 10th, (yesterday), I was advised that we will be receiving a letter within a few days authorizing the use of \$125,000 for the three trailers. After this comes, we will have to meet with the Committee to determine where we need to go from here. I cannot support the waste of State funds and purchasing an inadequate vehicle will result in the waste of State funds.

Since the last SERC meeting, the teams have:

- Responded to eight emergency incidents
 - Conducted eight training classes or drills
 - Completed two public appearance/community outreach events
- (All counties reported)

During either emergencies or drills, the three teams have decontaminated 172 people since the last SERC meeting; 122 of these being during one drill in Sussex County in conjunction with DelDOT. Also, one of the public outreach programs drew approximately 750 citizens from the community.

We submitted a budget request for FY 04 to continue the operations of the three trailers.

The Committee plans to meet the first Wednesday of every even-number month, which is the Wednesday prior to the SERC meeting.

We re-visited our needs from WMD funding from the FY 02 cycle. We are still waiting for some equipment from WMD funds from the FY 00 and 01 funding cycles.

LEPC Reports

New Castle County LEPC Report - Mr. Bill McCracken

- Meeting Notes - The LEPC meeting was hosted by Sun Oil Company on May 10, 2003 at the Holiday Inn in Claymont, DE. A report was presented about the highly successful tabletop that was conducted with General Chemical, Honeywell, and Claymont Fire Company.

The major portion of the meeting was devoted to a presentation by Mr. Bob Barrish and Mr. Jay Brabson of DNREC about the changes to the 6028 regulation concerning reporting of a release or discharge. There was an excellent turn out (47). Copies of the slides presented will be copied in their entirety and will be distributed with the LEPC minutes.

Work in progress on updating the special populations database in CAMEOfm. The new CAMEO database has been distributed to the control group of three fire companies. Numerous problems have been encountered with the new fm version. There are some improvements but in the overall view, it appears as if we have taken a step backwards. Evaluation will continue.

- Facility Visits - Recently completed three year cycle of visits.
- HazMat Plan Status - NCC plan will be revised when the revised SERT plan printed.
- Exercise Status - Tabletop with General Chemical, Honeywell, and Claymont Fire Company.
- HazMat Incidents - There were no major HazMat incidents since last report. New Castle County Industrial Hazardous Material Response Alliance (NCCIHMR) had no responses.
- Comments - Mr. Murabito gave compliments on the HazMat Tabletop Exercise that took place at the Claymont Fire Company, best exercise he had seen.

City of Wilmington LEPC Report - Mr. George Giles

- Meeting Notes - The last meeting of the Wilmington LEPC was held on May 9, 2003 at the Public Safety Building. The next meeting will be held on July 11, 2003 at 10:00 a.m. Project Impact will be closed out as of June 15th. A presentation from Mr. Jay Brabson on "Reporting of a Pollutant or an Air Contaminant Regulation" was presented to attendees. The Wilmington Fire Department Marine unit conducted HazMat Training in May. The anti-terrorism committee continues its work.
- Facility Visits - This is an ongoing process of the Wilmington LEPC and the DeLEASI (Environmental Alliance of Senior Involvement) Group, visits will start up in the fall.

- HazMat Plan Status - We are in the process of reviewing the Hazardous Material Emergency Plans. The plan was distributed to LEPC members to review and meet to discuss.
- Exercise Status - A tabletop CSX drill was held May 28, 2003 and nearly 70 people participated. The drill involved a train derailment with numerous HazMat releases and emphasized the Incident Command System. Several agencies were involved including a local Nursing Home. Feedback from the participants indicated that it was an excellent drill with learning and improvement opportunities. The LEPC is in the process of developing a drill with International Petroleum, currently awaiting a new date from the company.
- HazMat Incidents - Four incidents including a major accident on I-495 involving a tractor-trailer releasing diesel fuel into the Christiana River.

Kent County LEPC Report - Mr. J. Allen Metheny Sr.

- Meeting Notes – Regular meeting held on May 13, 2003 with 25 members present. Provided updates to the members on the following topics: Decon III operations, Tier II reporting and fee collections, Budget issues, and Delaware Emergency Notification System (DENS).

Reported on the Anhydrous Ammonia Seminar held on April 23, 2003 at the Sheraton Dover Hotel. We had 104 people registered for the seminar. Attendance was very good. The speakers were all knowledgeable on the topics they presented. Feedback forms from the participants were very favorable and many requested a similar seminar next year. All in all, it was considered a success. Thanks to SERC for co-sponsoring it with us.

Heard a report from a long-term planning committee which was appointed to develop a long range plan for the Kent county LEPC.

A presentation was made by DNREC on the revised regulation concerning “reporting of a discharge of a pollutant or an air contaminant.”

- Facility Visits - two visits since last SERC meeting in cooperation with the DelEASI group, several facility visits have been made during the months of April and May.
- HazMat Plan Status - Approved by the SERC; copies will be provided to first responders and others on CD-ROM, as necessary.
- Exercise Status - The planning continues for the Dow-Reichhold tabletop exercise and then a drill later in the year. The next meeting of the planning committee is June 12, 2003.
- HazMat Incidents - Two since last SERC meeting two days after the Anhydrous Ammonia Seminar, we responded to a tank rollover on Route 113 at the DAFB Runway Lights. Route 113 was shut down for 2 hours while the tank was up righted. Decon 3 was deployed, but no

decontamination was needed. On June 1st, Decon 3 was alerted for an unknown substance leaking from a drum near Leipsic. We were cancelled before arrival on scene.

- The next LEPC meeting will be July 8, 2003, at 10:00 a.m.
- Comments - Ammonia Seminar was a success. Mr. Palmer noted it was more than a success with great attendance, open and honest discussions, and everyone working together in making suggestions.

Sussex County LEPC Report - Mr. Lynn Bulluck

- Meeting Notes - Not reported.
- Facility Visits - Three visits were made in the past two months.
- HazMat Plan Status - Not reported
- Exercise Status - Not reported
- HazMat Incidents - No incidents
- Comments – Mr. Bullock reinforced positive comments made by Mr. Palmer in reference to the Ammonia Seminar.

Old Business

1. SERC Membership Vacancies - Mr. Arthur Paul

Two Governor appointments are still pending, Highway and Railway Representatives. The candidate for the Highway position, Mike LePore, was present at the meeting. Four SERC members, of the seven Governor appointed positions, need to complete new applications for reappointment. An e-mail was sent and applications were available at the meeting.

2. Community Emergency Coordinator (CEC) Notification Procedures - Mr. Arthur Paul

A Sub-Committee of the Information and Technology Committee has been established and will soon accomplish the task of establishing a 1-800 number to notify the LEPC CEC. See IT Committee report.

3. House Bill 437 and 520- Mr. Dave Hake

This item is still awaiting a meeting between Director Turner, Rep. Joe DiPinto, Rep. Bruce Ennis, Rep Dave Ennis, and Bill Bush, Department of Public Safety Policy Advisor.

4. Request for \$375,000 for Decon Tow Vehicles

Following Mr. Metheny's update on the request letter, during the Decon Trailer Committee Report, several SERC members discussed at length DNRECs pending letter. The Department offered a less costly alternative and committed to providing \$125,000 to purchase three tow vehicles. After much fruitless discussion, it was decided that the Committee would convene a special meeting to discuss options and alternatives, after receipt of the letter and review of the DNREC vehicle specifications.

New Business

1. Annual Report Closeout June 30, 2003 (FY2003) – Mr. Paul distributed copies of the annual report to the four LEPCs, the standing Committees, and extra copies were available for the membership. The FY2003 report will cover the period of July 1, 2002 – June 30, 2003. Mr. Paul requested that LEPC and Committee reports be forwarded to him for inclusion in the draft. He will attempt to have a draft available for the August meeting. According to the SERC By-laws, a draft of the report shall be circulated to the SERC at least fourteen days prior to consideration by the full SERC at a regularly scheduled meeting, normally October.
2. Approval of Committee Budgets - Mr. Joseph Murabito reported that the Finance and Budget Committee met and reviewed the LEPC budgets and budget request for the Decon Trailer Committee. He requested that each item be reviewed and voted on separately.
 - a. New Castle County LEPC Budget requested \$107,870, no growth from last year. Mr. Murabito motioned to approve and Mr. Giles seconded. The SERC approved \$107,870.
 - b. Wilmington LEPC Budget requested \$41,884, minimal growth. Mr. Murabito motioned to approve and Mr. McCracken seconded. \$41,884 approved.
 - c. Sussex County LEPC Budget requested \$53,942.11 with \$3,000 carryover. The Committee felt that one item of \$3,200 was not justified and the \$3,000 carryover needs to be subtracted. Mr. Murabito motioned to approve \$47, 742.11 and Rep. Bruce Ennis seconded. The SERC approved \$47,742.11.
 - d. Kent County LEPC budget requested \$64,605, the Committee did not recommend funding a vacant position. Mr. Joseph Murabito motioned to approve \$46,605 and Mr. John Pierce seconded. The SERC approved \$46,605. Not included was the \$39,000 carryover Mr. Metheny found from last year. Kent County requested the use of the \$39,000 as Federal Grant matching funds and to upgrade the Kent County EOC. Mr. Joseph Murabito stated it is the recommendation of the Finance Committee to deny use of the \$39,000. Motion to deny request by Mr. Murabito, seconded by Mr. Gene Donaldson, sustained by Mr. George Giles, the SERC denied the request.

- e. Decon Trailer Committee requested \$20,000 be placed in an equipment account for the purpose of immediate equipment replacement in the case that there is not a responsible party to hold accountable for replacing used equipment. The Finance and Budget Committee recommended, appropriating \$10,000 to the previously approved \$5,000 Maintenance Account and renaming the account to Equipment and Maintenance. Mr. Murabito made the recommendation in the form of a motion and Mr. Ralph Baker seconded. The Commission approved a motion to have a \$15,000 set aside in an Equipment and Maintenance Account, for the immediate use of the Decon Trailer Committee.
- f. Decon Trailer Replacement Account - Mr. Murabito made a motion that \$28,000 (approximately 10% of collected fees) be placed in the Account. In February 2003, the SERC approved a motion that 10% of the user's fees collected annually be set aside to provide funds for the eventual replacement of the Decon Trailers. The motion was seconded by Mr. Bullock and approved by the Commission.
- g. Ms. Pamela Meitner motioned that the Commission establish a subcommittee to review SERC income and expenses and present a funding proposal for the next five years. After discussion, Mr. Bullock made an amendment to use the Finance and Budget Committee. After comments from Mr. Murabito, Finance and Budget Committee Chair, the amendment was withdrawn. The original motion was seconded by Mr. Pierce and approved by the SERC. According to the SERC Bylaws, the SERC Chair can appoint a special committee with specific duties. This item will be added to the August SERC agenda for further discussion and direction from the Chair.
- i. Mr. Gene Donaldson, DelDOT, requested that copies of the budget breakdown be provide to the membership, for review, prior to the budget meeting. The Finance and Budget Committee Chair noted the request.

Closing Comments

- The Delaware State Fire School had orange Weapons of Mass Destruction (WMD) guides printed and laminated; and they distributed 20 copies to each Fire Chief. The Fire School absorbed the cost of \$1,300.
- Catherine Pomerantz, FEMA representative noted that the FEMA Terrorism Job Aides are available, up to five copies, to first responders.
- Mr. Charles Chaney, EPA, Region III, addressed the Prevention Conference scheduled for November 2003 in Norfolk, Virginia. Conference will include workshops on Cybertoptics & Terrorism with room rates at \$55 per night.

The SERC meeting adjourned at approximately 1110 a.m. The next meeting will be on Aug 13, 2003.